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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/921,274

08/01/2001

Richard Cerami

020366-077810US

CONFIRMATION NO. 5356

20350 TOWNSEND AND TOWNSEND AND CREW TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834 FORMALITIES LETTER
\*OC000000006535496\*

Date Mailed: 09/10/2001

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
   Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
   A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$840.

A copy of this notice MUST be returned with the reply.

**Customer Service Center** 

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Attorney Docket No.: 020366-077210US

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

On \_\_\_\_\_\_ January 10, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Don Mixon

COPY OF PAPER ORIGINALLY FILED

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Art Unit:

Unassigned

TRANSMITTAL LETTER – RESPONSE TO NOTICE OF MISSING PARTS

2161

In re application of:

Richard Cerami, et al.

Application No.: 09/921,274

Filed: August 1, 2001

For: LINKING ORDER ENTRY PROCESS TO REALTIME NETWORK INVENTORIES AND CAPACITIES

**Assistant Commissioner for Patents** 

Washington, D.C. 20231

identified application:

Sir:

Applicant submits this response pursuant to the Notice to File Missing Parts of Nonprovisional Application dated September 10, 2001 in the above-captioned application. An extension for reply within the two months is requested thereby extending the date to respond to and including January 10, 2002. Enclosed are the following to be made of record in the above-

- 1) Executed Declaration
- 2) Copy of Notice of Missing Parts
- 3) Assignment Document
- 4) Petition for Extension of time (2 months)
- 5) Petition under CFR § 1.47(A)
- 6) Declaration of Chad S. Hilyard
- 7) Declaration of Brian N. Young

Richard Cerami, et al. Application No.: 09/921,274

Page 2

Please charge the fees as set forth on attached Form PTO/SB/17 and any additional fees under 37 CFR 1.16 or 1.17 associated with this paper or otherwise required during the pendency of this application, and credit any overpayment to the Deposit Account No. 20-1430 of the undersigned.

Respectfully submitted,

Brian N. Young Reg. No. 48,602

#### Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8<sup>th</sup> Floor San Francisco, California 94111-3834

Tel: 415-576-0200 Fax: 415 576-0300

BNY/dxm

SF 1307065 v1

ease type a plus sign (+) inside this box -> + der the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority

Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53

Document(s)

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL		Application Numb r	09/921,274	COPY OF PAPER
TRANSMITTAL		Filing Dat	August 1, 2001	ORIGINALLY FILE
FORM		First Named Inv nt r	Cerami, Richard	
(to be used for all correspondence after in	itial filing)	Group Art Unit	2161	
		Examiner Name	Unassigned	
Total Number of Pages in This Submission		Attorney Docket Number	020366-077810U	s
	ENCL	OSURES (check all that apply)		······································
☐ Fee Transmittal Form		ment Papers Application)	After Allowance Group	Communication to
Fee Attached	☐ Drawin	g(s)	Appeal Commur Appeals and Inte	nication to Board of erferences
Amendment / Response	Licensi	ing-related Papers	Appeal Commur (Appeal Notice, Br	nication to Group rief, Reply Brief)
After Final		n Routing Slip (PTO/SB/69)	Proprietary Infor	mation
Affidavits/declaration(s)	_	n to Convert to a ional Application	Status Letter	
Extension of Time Request		of Attorney, Revocation e of Correspondence Address	Other Enclosure	` '
_	Termin	nal Disclaimer	Return Postcard, Pe	tition under CFR

Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Townsend and Townsend		
and Individual name	Brian N. Young	Reg. No. 48,602	
Signature	Brus		
Date	January 10, 2002		_
		CERTIFICATE OF MAILING	

Request for Refund

Remarks

CD, Number of CD(s)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

January 10, 2002

1.47(a), Declaration of Chad S. Hilyard,

Declaration of Brian N. Young

The Commissioner is authorized to charge any additional fees to

Typed or printed name	Don Mixon			
Signature	Damo	Date	January 10, 2002	-

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SF 1307058 v1

PTO/SB/17 (09-00)
Appropriate ruse through 10/31/2002. OMB 0651-0032
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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known			
Application Number	09/921,274	OCO'OF	
Filing Date	August 1, 2001	ONIGINAL OF	
First Named Inventor	Cerami, Richard		
Examiner Name	Unassigned		
Group Art Unit	2161		

**TOTAL AMOUNT OF PAYMENT** 020366-077810US 1440 (\$) Attorney Docket No. FEE CALCULATION (continued) METHOD OF PAYMENT 3. ADDITIONAL FEES The Commissioner is hereby authorized to charge  $\boxtimes$ 1. indicated fees and credit any over payments to: Entity Large Entity Small Fee Description Deposit Code (\$) Code (\$) Paid 20-1430 Account 130 105 130 205 65 Surcharge - late filing fee or oath Number 127 50 227 25 Surcharge - late provisional filing fee or cover sheet. Deposit 139 130 Non-English specification 139 130 Townsend and Townsend and Crew LLP Account Name 147 2,520 147 2.520 For filing a request for reexamination 112 Requesting publication of SIR prior to 9201 112 920 Charge Any Additional Fee Required Examiner action Under 37 CFR 1.16 and 1.17 Requesting publication of SIR after Applicant claims small entity status. 113 1,840 113 See 37 CFR 1.27 Examiner action Payment Enclosed: 115 110 215 55 Extension for reply within first month 116 200 Extension for reply within second 400 216 400 □ Other □ Check Credit card ■ Money month Order Extension for reply within third month 117 920 217 460 **FEE CALCULATION** 118 720 Extension for reply within fourth 1,440 218 month BASIC FILING FEE 1. Extension for reply within fifth month 128 1,960 228 980 Large Entity **Entity Small** 119 219 160 Notice of Appeal 320 Fee Fee Description Fee Fee Fee Fee Paid Code (\$) Code (\$) 120 320 220 160 Filing a brief in support of an appeal 140 740 201 370 Utility filing fee 740 121 221 Request for oral hearing 101 280 106 330 206 165 Design filina fee Petition to institute a public use 138 1,510 138 1,510 proceeding Plant filing fee 107 510 207 255 55 140 240 Petition to revive - unavoidable 110 108 740 208 370 Reissue filing fee 141 241 640 Petition to revive - unintentional 1,280 80 160 214 Provisional filing fee 142 1.280 242 640 Utility issue fee (or reissue) SUBTOTAL (1) (\$)740 143 460 243 230 Design issue fee 310 Plant issue fee 144 620 244 2. EXTRA CLAIM FEES 130 122 122 130 Petitions to the Commissioner 130 Extra Fee from Fee Petitions related to provisional Paid Claims 123 50 123 50 \$18 applications Total Claims 16 -201 0 \$0 Submission of Information Disclosure Independent 126 180 126 180 \$84 \$0 0 -3\* Stmt Claims Recording each patent assignment Multiple 581 40 581 40 per property (times number of 40 Dependent properties) Filing a submission after final rejection Large Entity Small Entity 146 740 246 370 Fee (37 CFR § 1.129(a)) Fee Fee Fee Fee Description Code Code (\$) 370 For each additional invention to be (\$) 149 740 249 examined (37 CFR § 1.129(b)) Claims in excess of 20 103 18 203 9 202 42 Independent claims in excess of 3 102 84 179 279 370 Request for Continued Examination (RCE) 740 104 280 204 140 Multiple dependent claim, if not paid 169 900 Request for expedited examination 169 900 \*\* Reissue independent claims over 109 209 42 of a design application 84 original patent Reissue claims in excess of 20 and Other fee (specify) 110 18 210 over original patent The Commissioner is authorized to charge any additional fees to the above noted Deposit Account. SUBTOTAL (2) (\$)0 SUBTOTAL (3) \*Reduced by Basic Filing Fee Paid (\$)700 \*\*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY Complete (if applicable)					
Name (Print/Type)	Brian-N. Young	Registration No. (Attorney/Agent)	48,602	Telephone	415-576-0200
Signature	MW			Date	January 10, 2002

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